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### REMARKS

In the Office Action, claims 1-21 were rejected. By the present Response, claim 18 has been cancelled without prejudice and claims 1, 4, 7, 10, 11, and 17 have been amended for the purpose of clarification. Claims 1-17 and 19-21 remain pending in the present application. Reconsideration of the rejections and allowance of the pending claims are respectfully requested.

### Rejections under 35 U.S.C. §102

In the Office Action, the Examiner rejected claims 1-21 under 35 U.S.C. §102(b) as being anticipated by Kimble, U.S. Patent Application No. 4,781,422). Applicant respectfully traverses the rejection. Claims 1-21 are not anticipated because the Kimble reference does not disclose all of the recited features of the claims.

### Claims 1-9

Some of the recited features of amended independent claim 1 that are not disclosed by the Kimble reference are:

a selectively actuated operator, the operator being adapted to selectively remove the force preventing the display enclosure from pivoting without use of a tool.

The Kimble reference discloses a bolt 75 that is screwed into a tapped opening 81 of a plate 82. Col. 4, lines 3-4. Tightening the bolt 75 causes the bolt head 85 of bolt 75 and plate 82 to move toward each other. Col. 4, lines 11-13. Continued tightening of bolt 75 forces plates 34 and 54 against each other to create friction and thereby oppose the rotational movement of plates 34 relative to plates 54. Col. 4, lines 14-21. Bolt head 85 has a slot to enable the bolt 75 to be turned by a screwdriver. See Fig. 2. Thus, a tool must be used to tighten bolt 75. The Kimble reference does not disclose "a selectively actuated operator, the operator being adapted to selectively remove the force preventing

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the display enclosure from pivoting *without use of a tool.*" Therefore, the Kimble reference does not disclose all of the recited features of amended independent claim 1. Thus, the Kimble reference does not anticipate claim 1 or claims 2-9, which depend therefrom.

#### **Claims 10-16**

Some of the recited features of amended independent claim 10 that are not disclosed by the Kimble reference are:

a third portion selectively actuatable to produce a counter-force to the force produced by the second portion to prevent the second portion from opposing pivotal motion of the display.

As discussed above, friction is produced in the Kimble reference by tightening bolt 75. Bolt head 85 of bolt 75 has a slot to enable the bolt 75 to be tightened by a screwdriver. The amount of friction is determined by the spacing between bolt head 85 and plate 82. A spring 80 opposes the motion of the bolt head 85. Col. 4, lines 13-14. However, neither spring 80 nor bolt 75 is "selectively actuatable to produce a counter-force to the force produced by the second portion to prevent the second portion from opposing pivotal motion of the display." Therefore, the Kimble reference does not disclose all of the recited features of amended independent claim 10. Thus, the Kimble reference does not anticipate claim 10 or claims 11-16, which depend therefrom.

#### **Claims 17, 19, 20, and 21**

Some of the recited features of amended independent claim 17 that are not disclosed by the Kimble reference are:

actuating a clutch assembly before the display is pivoted to reduce a force opposing pivotal motion of the display; and

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deactuating the clutch assembly after the display is pivoted to restore the force opposing pivotal motion of the display.

The Kimble reference discloses a bolt 75 that may be tightened to increase friction between plates 34 and 54, thereby causing terminal top 14 to remain at a desired location where placed by a user. However, the Kimble reference does not disclose loosening the bolt 75 before the display is pivoted to remove a force opposing pivotal motion of the display. In addition, the Kimble reference does not disclose tightening the bolt 75 after the display is pivoted to restore the force opposing pivotal motion of the display. Therefore, the Kimble reference does not disclose all of the recited features of amended independent claim 17. Thus, the Kimble reference does not anticipate claim 17 or claims 19-21, which depend therefrom.

#### Rejection of Claims 4, 7, and 11

In regards to the rejection of claims 4, 7 and 11, the Examiner stated that:

[T]he functional recitation of claim 4 that said "operator prevents the force producer from driving the first and second member into contact", the functional recitation of claim 7 that said "operator is electrically actuated", and the functional recitation of claim 11, that said "third portion is electrically operated" has not been given patentable weight because these recitations are narrative in form. In order to be given patentable weight, a functional recitation must be expressed as a "means" for performing the specified function, as set forth in 35 USC §112, 6<sup>th</sup> paragraph, and must be supported by recitation in the claim of sufficient structure to warrant the presence of functional language. *In re Fuller*, 1929 C.D. 172; 388 O.G. 279. See Paper 2, page 3 (emphasis in original).

Claims 4, 7 and 11 have been amended by this response. The rejection set forth above is believed rendered moot by the amendments to the claims.

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**Attachment**

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

**Conclusion**

In view of the above remarks and amendments set forth above, Applicant respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Date: March 31, 2003

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

Please cancel claim 18 without prejudice.

Please amend claims 1, 4, 7, 10, 11, and 17 as follows:

1. (Twice Amended) A computer system, comprising:  
a base;  
a display enclosure housing a display; and  
a securing mechanism to pivotably secure the display enclosure to the  
base, comprising:  
a positioning assembly that produces a force to prevent the display  
enclosure from pivoting; and  
a selectively actuated operator, the operator being operable adapted  
to selectively remove at least a portion of the force  
preventing the display enclosure from pivoting without use  
of a tool.
4. (Amended) The system as recited in claim 3, wherein the operator is  
adapted to prevent the force producer from driving the first and second members into  
contact.
7. (Amended) The system as recited in claim 1, wherein the operator is  
adapted to be electrically actuated.
10. (Twice Amended) A clutch assembly for pivotably securing a  
computer display to a computer base, comprising:

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a first portion adapted to enable the computer display to pivot relative to the computer base unit;  
a second portion adapted to produce a force to oppose pivotal motion of the display; and  
a third portion ~~manually~~ selectively actuatable to produce a counter-force to the force produced by the second portion to prevent the second portion from opposing pivotal motion of the display.

11. (Amended) The assembly as recited in claim 10, wherein the third portion is adapted to be electrically operated.

17. (Twice Amended) A method of operating a computer system having a base unit and a pivotable display, comprising:  
~~selectively-actuating a clutch assembly~~ before the display is pivoted to  
reduce a force opposing pivotal motion of the display; ~~and~~  
pivoting the display to a desired position; and  
deactuating the clutch assembly after the display is pivoted to restore the  
force opposing pivotal motion of the display.